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8 **UNITED STATES DISTRICT COURT**
9 **FOR THE CENTRAL DISTRICT OF CALIFORNIA - EASTERN DIVISION**
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12 Plaintiff(s),
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14 v.
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16 Defendant(s).
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ED CV -RT
ORDER (1) AMENDING ORDER,
DATED DECEMBER 19, 2000 AND
(2) DIRECTING NO ORAL
ARGUMENT ON MOTIONS IN
CIVIL ACTIONS

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20 The undersigned ORDERS his previous order of December 19, 2000, be
21 amended to read as follows:

22 The undersigned believes that for most civil law and motion matters, oral
23 argument is generally unnecessary and wasteful of time and resources of both
24 counsel and the Court. Well-researched moving and responding papers with
25 thoughtful analysis are usually adequate to allow the Court to make a fully informed
26 and reasoned decision. Nevertheless, the Court recognizes that in some cases oral
27 argument may be valuable or even necessary. Therefore, pursuant to Federal Rules
28 of Civil Procedure 78 and Civil Local Rule 7-15,

1 IT IS ORDERED that oral argument on motions in civil actions shall not be
2 heard, unless required by law and subject to the following exceptions:

3 (1) If the Court deems oral argument necessary on certain issues raised
4 in a particular motion or opposition, argument will be heard on the hearing date
5 calendared by the moving party. The Court will notify the parties as far in advance
6 as possible that oral argument will be heard, but no later than 5:00 p.m. on the
7 Wednesday preceding the calendared hearing date.

8 (2) If the moving and/or responding party believes that oral argument is
9 necessary, such party must file and serve a written request for oral argument. This
10 request should show why oral argument is necessary under the particular
11 circumstances of the case, and why the moving and responding papers are inadequate
12 to present the party's argument to the Court. The fact that the ruling on the motion
13 may be dispositive of the entire action or certain causes of action or claims or that
14 the moving party has raised a new issue in its reply¹ is not, in and of itself, sufficient
15 to establish that oral argument is necessary. This request shall be filed not later than
16 six (6) days before the calendared hearing date. The Court will notify the
17 appropriate parties of its ruling on the request no later than 5:00 p.m. on the
18 Wednesday preceding the calendared hearing date.

19 A motion will be deemed submitted without oral argument upon expiration of
20 the time for filing a reply brief. Counsel (or parties proceeding pro se) should not
21 appear in Court on the date the motion is calendared unless the Court has ordered
22 that there be oral argument.

23 DATED: October 1, 2001.

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26 ROBERT J. TIMLIN
United States District Judge

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28 ¹The Court will not base its decision on any new facts or new legal arguments raised in
reply papers without the Court giving the respondent an opportunity to respond. See Schwarzer, et
al., Federal Civil Procedure Before Trial, §§ 12:106-12:107 (2000).